The Commonwealth of Massachusetts

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 4780, a Bill authorizing the leasing of land in Grafton to the United States Department of Labor and authorizing the conveyance or lease of surplus state-owned properties (House, No. 4892). July 19, 2010.

FOR THE COMMITTEE:

NAME:	DISTRICT/ADDRESS:
Steven M. Walsh	11th Essex

The Commonwealth of Massachusetts

In	the	Year	Two	Thousand	and	Ter

An Act authorizing the leasing of land in Grafton to the United States Department of Labor and authorizing the conveyance or lease of surplus state-owned properties.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the lease of property to the United States department of labor for training through the department's Job Corps program and to facilitate the reuse of, and generate non-tax revenue from, portions of the former Grafton state hospital which are surplus to the department's Job Corps program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Notwithstanding sections 40F to 40J, inclusive, of chapter 7 of the General
- 2 Laws or any other general or special law to the contrary, the commissioner of capital asset management
- 3 and maintenance may lease all or a portion of a certain parcel of land, together with the buildings thereon,
- 4 and further identified in a U.S. Government Lease For Real Property dated April 19, 1990, Exhibit B,
- 5 Partial Plan of Land Showing Parcel Leased United States Of America For A Job Corps Center in Grafton
- and Shrewsbury, dated Oct. 1, 1979, located on the easterly side of Pine Street in the town of Grafton and
- 7 Green Street in the town of Shrewsbury and formerly part of the Grafton state hospital, for a term,
- 8 including extensions, not to exceed 20 years, to the United States department of labor, for rent of \$1 per
- 9 year. The exact boundaries of the lease premises and any roads or other infrastructure which the
- department of labor, or its agents, may use in accordance with the lease, shall be determined by the
- 11 commissioner in consultation with the United States department of labor after the completion of a land
- 12 survey.
- 13 SECTION 2. The lease authorized by section 1 shall be on such terms and conditions as the
- 14 commissioner of capital asset management and maintenance deems appropriate.

- 15 SECTION 3. The United States department of labor shall be responsible for all costs deemed
- 16 necessary or appropriate by the commissioner of capital asset management and maintenance for the lease
- authorized by section 1 including, without limitation, the costs for legal work, survey, title, appraisal and
- 18 the preparation of plans and specifications.
- 19 SECTION 4. In order to facilitate the reuse of the portions of the former Grafton state hospital that are
- surplus to the department's Job Corps program and to the commonwealth, as further identified in
- section 5, the commissioner of capital asset management and maintenance may, subject to sections 40E to
- 40J, inclusive, of chapter 7 the General Laws but notwithstanding any other general or special law to the
- contrary, sell, lease for a term or terms of up to 99 years, including all renewals and extensions, or
- otherwise grant, convey, or transfer to 1 or more purchasers or lessees an interest in said property
- 25 identified in section 5, on the terms and conditions that the commissioner considers appropriate, taking
- 26 into account principles of transit-oriented development and smart growth. The commissioner shall
- 27 dispose of said property utilizing appropriate competitive processes and procedures. At least 30 days
- before the date on which bids, proposals, or other offers to purchase or lease the property, or any portion
- 29 thereof, are due, the commissioner shall place a notice in the central register published by the state
- 30 secretary under section 20A of chapter 9 of the General Laws stating the availability of the property, the
- 31 nature of the competitive process and other information that he considers relevant, including the time,
- 32 place and manner for the submission of bids, proposals and the opening thereof. The grantee or the lessee
- 33 shall enter into a historical covenant agreement with the Massachusetts historical commission which shall
- be filed with the registry of deeds and run with the land in perpetuity.
- 35 SECTION 5. The property subject to section 4 includes, without limitation, the buildings identified as
- Building No. 14 (Pines C), Building No. 15 (Pines D) and Building No. 16 (Pines E) on the plan
- 37 referenced in section 1 and such other lands as the commissioner of capital asset management and
- 38 maintenance deems appropriate. The exact boundaries of the property and any roads or other
- infrastructure which lessee or purchaser may use in accordance with the lease or deed, shall be
- 40 determined by the commissioner in consultation with the United States department of labor after the
- 41 completion of a land survey.
- 42 SECTION 6. In connection with any conveyance or lease pursuant to this act, the commissioner of
- 43 capital asset management and maintenance may grant easements or other rights to use roads and
- infrastructure and to install utilities on adjoining land of the commonwealth, and may retain such
- 45 easements or other rights for the commonwealth.
- 46 SECTION 7. The grantee or lessee selected pursuant to section 5 shall be responsible for all costs and
- 47 expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and deed
- 48 preparation related to the transfers and conveyances authorized in section 5 as those costs may be
- 49 determined by the commissioner of capital asset management and maintenance. The grantee or lessee
- shall acquire said property in its existing condition without any warranty by the commonwealth.